

John Heenan
Joe Cook
Philip McGrady
HEENAN & COOK, PLLC
1631 Zimmerman Trail, Ste. 1
Billings, MT 59102
Phone: (406) 839-9091
Facsimile: (406) 839-9092
john@lawmontana.com
joe@lawmontana.com
philip@lawmontana.com
Attorneys for Plaintiffs

Matthew B. Hayhurst
Thomas J. Leonard
BOONE KARLBERG P.C.
201 West Main, Suite 300
P.O. Box 9199
Missoula, MT 59807-9199
Telephone: (406)543-6646
Facsimile: (406) 549-6804
mhayhurst@boonekarlberg.com
tleonard@boonekarlberg.com
Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

ESTATE OF LUCIO DIMAURO, by
and through Personal Representative,
NINA DIMAURO; LESLEY
JUNGERS, by and through co-
Guardians and co-Conservators,
LAWRENCE JOCHIM and KARLA
LANGLOIS; ESTATE OF DAVID
PATZOLDT, by and through Personal
Representative, CHRISTINE
PAYTON; JOHN DOES 1-X; and
JANE DOES 1-X,

Plaintiffs,

v.

GREG GIANFORTE; CHARLIE
BRERETON; DAVID CULBERSON;
STATE OF MONTANA; THE
DEPARTMENT OF PUBLIC
HEALTH AND HUMAN
SERVICES; JOHN DOES 1-X; and
JANE DOES 1-X,

Defendants.

Cause No. CV-23-74-BU-BMM

JOINT STATUS REPORT

On February 7, 2024, the Court entered an order at the request of all parties vacating deadlines and staying proceedings pending mediation. (Doc. 14.) The Court ordered the parties to submit a status report within 60 days thereafter, describing the status of their mediation efforts and the reasons the stay should be continued or lifted. (*Id.* at 2.)

In accordance with that Order, the parties respectfully notify the Court that a mediation has been scheduled with attorney Mike Lilly on April 16, 2024. The mediation is expected to last one day, but it is possible that additional discussions will be needed. The parties therefore ask that the stay remain in place while they complete the mediation and, if necessary, engage in any post-mediation discussions. The parties will submit an updated status report to the Court within 30 days after completion of the mediation (i.e. by May 16, 2024). At that point, the parties will describe the status of their mediation efforts and why the stay should be continued or lifted. The parties appreciate the stay remaining in place in the meantime.

DATED: April 3, 2024

HEENAN & COOK, PLLC

/s/ John Heenan

John Heenan

Joe Cook

Philip McGrady

Attorneys for Plaintiffs

DATED: April 3, 2024

BOONE KARLBERG P.C.

/s/ Matthew B. Hayhurst

Matthew B. Hayhurst

Thomas J. Leonard

Attorneys for Defendants